

SCANNER

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

U.S. DISTRICT COURT
DISTRICT OF MAINE
PORTLAND
RECEIVED & FILED

NOV 23 2009

UNITED STATES OF AMERICA)

v.)

WILLIAM HOLMES)

Crim. No. 09- 176-P-H

LINDA L. JACOBSON, CLERK
BY _____
DEPUTY CLERK

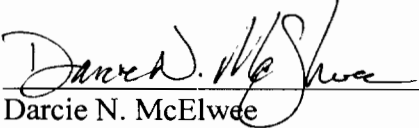
PROSECUTION VERSION

If the United States were to proceed to trial in this case, it would prove that Defendant was a felon in possession of ammunition on about August 17, 2009 in violation of 18 U.S.C. §§ 922(g)(1) and 924(a).

Specifically, at approximately 5:00 am on August 17, 2009, a “no knock” search warrant signed by Maine Superior Court Judge Andrew M. Horton was executed on Apartment #4 at 115 Sherwood Street in Portland by Maine Drug Enforcement agents. At the time, the apartment was being rented by Defendant and two other individuals. The search warrant was based on reports of a confidential informant and undercover drug agents who were investigating suspected cocaine trafficking. During the search, a belt containing twelve rounds of ammunition was seized from Defendant’s bedroom. According to ATF Interstate Nexus Expert Stephen Hickey, the shotgun shells were not manufactured in Maine.

Records from the Cumberland County Superior Court show that Defendant was convicted of Violation of Conditions of Release, a Class C crime punishable by a term of imprisonment exceeding one year, on December 14, 2004 in Docket Number 04-2743.

Dated: November 2, 2009


Darcie N. McElwee
Assistant United States Attorney